

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA

IN RE:
CAMP LEJEUNE WATER LITIGATION

This Document Relates To:
ALL CASES

Case No. 7:23-CV-897

UNITED STATES' PROPOSED
MOTION FOR A CONSOLIDATED
CASE MANAGEMENT ORDER
AND FOR EXTENSION OF TIME

ORAL ARGUMENT REQUESTED

Pursuant to Fed. R. Civ. P. 42(a), Defendant United States of America respectfully moves this Honorable Court for a consolidated case management order and an extension of time for responsive pleading deadlines, discovery deadlines, and all other deadlines in the individualized cases filed under the Camp Lejeune Justice Act of 2022 ("CLJA"), Pub. L. No. 117-168, § 804, 136 Stat. 1802, 1802-04 (2022), until the Court has issued a consolidated case management order. The CLJA litigation should proceed in an expeditious and globally consistent manner, as this Court detailed in the initial case management order. *In re: Camp Lejeune Water Litigation*, No. 7:23-cv-00897-RJ, at Dkt. 1 (E.D.N.C. April 25, 2023) ("Master Docket Order"). The Master Docket Order, signed by all four of the Honorable District Judges of this Court, indicated that global case management procedures were forthcoming. Without consolidation and global case management, a large group of individual CLJA cases will continue to diverge, resulting in unnecessary burdens on the Court and parties and frustrating the efficient and equitable resolution of this litigation.

On June 19, 2023, the United States shared this proposed motion and the supporting memorandum with all plaintiffs' counsel who have entered appearances on the above-captioned

master docket. The United States informed plaintiffs' counsel that the United States will presume plaintiffs are opposed to this Motion for a Consolidated Case Management Order and Extension of Time unless they inform the United States otherwise by 3:00 pm Eastern time on Tuesday, June 20, 2023 (today).

The following plaintiffs' counsel informed the United States that they do not oppose this Motion:

- Blalock, LLC
- Meirowitz & Wasserberg

The following plaintiffs' counsel set forth their position on the United States' Motion as detailed below:

- "Plaintiffs in the Wallace / Lanier / Shkolnik group (see leadership application submitted May 26, 2023) express the following position with regard to the Defendant's motion: Plaintiffs reiterate their position from their Joint Motion to Coordinate filed March 23, 2023 and from their leadership application, while also being mindful of the need to move cases forward. Plaintiffs join in the request for a hearing."

The following plaintiffs' counsel informed the United States that they do not consent to this Motion:

- Bell Legal Group
- Marcari Russotto Spencer & Balaban
- Motley Rice
- Sparkman Larcade

Having not heard from other plaintiffs' counsel by 3:00 pm Eastern time, the United States presumes that other plaintiffs' counsel oppose this Motion.

For the reasons stated herein and in the accompanying Memorandum, attached as Exhibit 2, the United States requests that the Court adopt and enter the proposed order attached as Exhibit 3.

DATED this 20th day of June, 2023.

Respectfully submitted,

BRIAN M. BOYNTON
Principal Deputy Assistant Attorney General
Civil Division

J. PATRICK GLYNN
Director, Torts Branch
Environmental Torts Litigation Section

BRIDGET BAILEY LIPSCOMB
Assistant Director, Torts Branch
Environmental Torts Litigation Section

/s/ Adam Bain
ADAM BAIN
Senior Trial Counsel, Torts Branch
Environmental Torts Litigation Section
U.S. Department of Justice
P.O. Box 340, Ben Franklin Station
Washington, D.C. 20044
E-mail: adam.bain@usdoj.gov
Telephone: (202) 616-4209
Fax: (202) 616-4473

LACRESHA A. JOHNSON
DANIEL C. EAGLES
Trial Attorneys, Torts Branch
Environmental Torts Litigation Section

Attorney inquiries to DOJ regarding the
Camp Lejeune Justice Act:
(202) 353-4426

CERTIFICATE OF SERVICE

I hereby certify that on June 20, 2023, a copy of the foregoing document was filed via the Court's ECF system and served on counsel of record through the ECF system.

/s/ Daniel C. Eagles

Daniel C. Eagles